

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARK RUSSELL,

Petitioner,

v.

WANZA JACKSON, Warden,

Respondent.

CASE NO. 2:08-cv-171

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE NORAH MCCANN KING

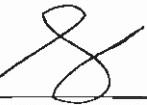
ORDER

On August 11, 2009, final judgment dismissing this action was entered. *Judgment*, Doc. No. 42. Petitioner's motion for reconsideration of that judgment, Doc. No. 44, was thereafter denied. *Opinion and Order*, Doc. No. 45. Petitioner's *Notice of Appeal*, Doc. No. 47, was construed as a request for a certificate of appealability but was denied. *Opinion and Order*, Doc. No. 51. This matter is now before the Court on petitioner's October 23, 2009, motion for reconsideration of that denial. Doc. No. 53.

Nothing stated in petitioner's motion for reconsideration persuades the Court that the request for a certificate of appealability was improperly denied. Petitioner's motion for reconsideration, Doc. No. 53, is therefore **DENIED**.

4-28-2010

DATE


EDMUND A. SARGUS, JR.
United States District Judge